

Transparency and Open Data in Slovenia

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In preventing corruption, measures for transparency of the work and transparency of financing of public institutions play a major role. »Transparency is the best disinfectant« and in Slovenia we are convinced that transparency is indeed one of the most important tools in preventing corruption. In the last ten years, the Slovenian ministries and other public authorities, including the Commission for Prevention of Corruption, have been carrying out systemic activities directed towards increasing the openness and transparency of public sector with the objective to establish a system in which authorities function transparently and openly.

1. Slovenian Access to Public Information and Open Data Legislation

A legal foundation for transparency is the strong law on access to public information, providing a basis for open and transparent functioning of the Government, state bodies, public administration bodies and broader public sector. The right of access to public information is enshrined in the Slovenian Constitution (Article 39) and represents a vital asset in the struggle for the open, transparent and responsible working of public administration.

The Slovenian Public Information Access Act¹ was adopted in 2003 and sets two commitments for public sector bodies: a) to proactively disseminate public information at their disposal and b) to enable access to information and the re-use of information based on individual requests. The Public Information Access Act has been regarded as a very pro-transparent law (see the rating of the NGO's, Global Right to Information Rating, among top 5 laws in the world: <http://www.rti-rating.org/>).

The latest revision of the Slovenian Public Information Access Act introduced the so called "Open Data rules" that bind and motivate the public-sector institutions to provide public information for re-use on the web in the form of Open Data – published on the internet in open formats and under the open licence – which means free for anyone to use it in any way. We believe this represents a good basis for the development of new innovative digital services and data analytics for enhanced transparency.

2. Slovenian Open Data Portal

In 2016 we began with a project to reform the system for the publication of public sector open data. This resulted in **the Slovenian Open Data Portal** - OPSI (<https://podatki.gov.si/>) run by the Ministry of Public Administration (hereinafter: the MPA). The portal is made entirely with open source software and operates on the national computer cloud. The National Open Data Portal serves as a single open point for publishing open data for the entire public sector, including government documents and data of the National Statistical Office. The data is to a large extent accessible in a machine-readable format that enables researchers, journalists and entrepreneurs to produce new analyses, applications and visualizations. Along with the open

¹ Slovenian Public Information Access Act, the full version in English is provided at: <http://www.pisrs.si/Pis.web/cm?idStrani=prevodi> , under the Ministry of Public Administration, indent 25.

data itself, OPSI also contains the metadata of all registers and databases kept by state authorities, municipalities, and other public-sector institutions.

In addition to the development of the portal, the MPA also created a Manual for the opening up of public sector data. The manual facilitates public sector authorities in the process of opening data and is used for public officials' trainings on Open Data at the Administrative Academy of the MPA.

According to the latest **OURData Index** of the Organisation for Economic Co-operation and Development, Slovenia ranks at the top world 10 in terms of Open Data.²

3. Slovenian Registers and Applications for Enhanced Transparency

We believe that it is not enough to just have the right to apply for information or documents, it is essential that the information is provided efficiently and in a quick way – and the best way to enable that is via public registers or databases.

3.1. Full transparency of money flows of public sector

One of the most prominent databases in Slovenia, called **Erar**³, was developed by the Commission for the Prevention of Corruption to enable full transparency of money flows from public to private sector. The application provides the public with a user-friendly access to information on business transactions of public sector bodies and matches financial transactions to company records from the Business Register, thus providing a further insight into links between the public and private sphere. Recently, the application was updated with information on **gifts received by public sector bodies**, tax debtors, lobbying contacts and information on the restriction of business activities.

This information is available to anyone, freely on the internet, no registration is required. In this way Erar presents an indispensable tool for strengthening the rule of law, integrity and transparency, as well as mitigation of corruption risks and conflicts of interest. A predecessor of this application called *Supervisor* got the United Nations Award for Excellence of Public Service in 2011.

3.2. Transparency of Public Procurement

Another area where high transparency has been extremely important is **public procurement**. The documents published on the Slovenian public procurement platform include all the following: the tender notice, the evaluation criteria, the award notice, the signed contracts⁴ and the bidding documents.

Furthermore, a web application called **Statist**⁵ provides a comprehensive and updated publication of all data on public procurement contracts awarded from 2013 with user-friendly

² OECD paper: Open, Useful and Re-usable (OUR) Data Index 2019: <http://www.oecd.org/gov/digital-government/ourdata-index-policy-paper-2020.pdf> (See p. 20). Also press release of the Slovenian government: <https://www.gov.si/en/news/2019-11-18-slovenia-among-top-5-eu-countries-in-openness-of-public-sector-data/>

³ <https://erar.si/>

⁴ <https://www.enarocanje.si/objavaPogodb/>

⁵ <https://ejn.gov.si/statist.html>

visualisation. Users can examine the data using various filters. The application displays, for the chosen timeframe, in terms of contract value, the ten largest contracting entities and ten largest tenderers, and most frequently awarded contracts, according to the subject and legal basis. Metadata on public procurements is published as Open Data (can be exported in .csv format)⁶ and can be freely downloaded for further re-use.

Slovenia has been recently ranked by the OECD as one of the countries that makes the most information about the public procurement process available to the public (Government at a Glance, 2019). <https://www.oecd.org/gov/gov-at-a-glance-2019-slovenia.pdf>

3.3. Register of Beneficial Owners

In 2016 Slovenia was one of the first European states to establish **the Register of beneficial owners**⁷. The register is of paramount importance as identifying a physical person, an individual that controls the company, is one of preconditions for effectively combatting money laundering. The register gathers data from 3 other registers: Business Register, Central Register of Inhabitants and Tax Register. What is publicly available are the following data: name and address of the owner and the way it controls the company. The law enforcement authorities can in addition access also data on the individual owner tax number, birth date and citizenship.

In the latest UNCAC report on Slovenia, adopted within the Implementation Review Mechanism, 2nd cycle, the Slovenian register of beneficial owners has been mentioned as an example of successful good practice.

3.4. Transparent Budgetary Data

An application on Budget of the Republic of Slovenia was launched in January 2020 by the Ministry of Finance (<https://proracun.gov.si/>). The interactive graphic display enables ongoing monitoring of revenues and expenditures of the state budget and contains detailed information on individual projects that are financed or co-financed from the state budget. The display provides the user with a more detailed insight into an individual segment of budget spending, and enables the search for data by region, municipality and the value of projects.

3.5. Salaries in the Public sector

Another area where information has been published on the web are Salaries in the Public Sector (www.pportal.gov.si/). The database contains information about the types of payments and sources of funds and amounts of salaries paid in the public sector. It provides the possibility for an overview and analysis of data on salaries paid by all budgetary users.

4. Civil society and some of the NGOs projects based on Open Data

The open publication of government data has enabled the civil society, researchers, journalists, academia and entrepreneurs to produce new analyses, applications and

⁶ <https://ejn.gov.si/statist.html>

⁷ https://www.ajpes.si/registri/drugi_registri/register_dejanskih_lastnikov/splosno

visualizations which provide additional insight into the money spending and state of integrity in the public sector.

- In a project of cooperation of the Ministry of Public Administration with a non-governmental organisation *Transparency International Slovenia* (in June 2016) two applications were developed:
 - an application for the display and comparison of municipal budgets:
<http://www.transparency.si/projekti/proracuni-obcin/>
 - and an application for comparison of the state projects:
<http://www.transparency.si/projekti/drzavni-projekti/>
- The non-governmental institute *Danes je nov dan* developed an application called: "**Parlamer**" which enables the public to easily monitor the work of Members of the National Assembly (their attendance of the sessions of the National Assembly; detailed voting etc)
<https://parlamer.si/>
- In the application developed by the non-governmental organisation *Pod črto*: <https://podcrto.si/prispevki/>, one can check which companies did not pay monthly social contributions for their employees.
- Transparency International Slovenia developed an application "**Varuh integritete**": (<http://varuhintegritete.transparency.si/>); a user-friendly interactive database that provides a unique overview of reported lobbying contacts of the Government of the Republic of Slovenia. The reported lobbying contacts of the Office of the Prime Minister, the General Secretariat of the Government and all ministries are taken into account. By simply clicking on the banners, graphs, or lists, users can sort and filter data on reported lobbying contacts of government institutions during different governments. Data on lobbying contacts are available for export from the Commission for Prevention of Corruption (<https://erar.si/lobiranje/>).